IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEBRASKA

United States of America,)		
Plaintiff,	8:11CR12	
vs.)	DETENTION ORDER	
Mario Gutierrez Sigala,		
Defendant.)		
A. Order For Detention		
After the defendant waived a detention hearing of the Bail Reform Act, the Court orders the aboreursuant to 18 U.S.C. § 3142(e) and (i).	• • • • • • • • • • • • • • • • • • • •	
B. Statement Of Reasons For The Detention The Court orders the defendant's detention of the evidence of the ev	because it finds: that no condition or combination of appearance of the defendant as t no condition or combination of	
(b) The offense is a crime of v X (c) The offense involves a na	vices Report, and includes the following: offense charged: on with intent to distribute 50 grams namphetamine is a serious crime and carries a life imprisonment. violence.	
may affect whether was affect whether whether was a substitution of the may affect whether was affect with the was affect whether was affect with the was affect whether whether was affect whether whether	<u> </u>	

X The defendant has no substantial financial resources.

DETENTION ORDER - Page 2

-	X The defendant is not a long time resident of the
	community. X The defendant does not have any significant community
-	ties.
	Past conduct of the defendant:
- - -	The defendant has a history relating to drug abuse. The defendant has a history relating to alcohol abuse. The defendant has a significant prior criminal record. The defendant has a prior record of failure to appear at court proceedings. At the time of the current arrest, the defendant was on: Probation Parole Release pending trial, sentence, appeal or completion of sentence. Other Factors: X The defendant is an illegal alien and is subject to deportation. The defendant is a legal alien and will be subject to deportation if convicted.
-	The Bureau of Immigration and Customs Enforcement (BICE) has placed a detainer with the U.S. Marshal.
-	Other:
release	ture and seriousness of the danger posed by the defendant's are as follows: urrent charges
In deter relied o § 3142(<u>X</u> (a)	rmining that the defendant should be detained, the Court also in the following rebuttable presumption(s) contained in 18 U.S.C. (e) which the Court finds the defendant has not rebutted: That no condition or combination of conditions will reasonably assure the appearance of the defendant as required and the safety of any other person and the community because the Court inds that the crime involves: (1) A crime of violence; or (2) An offense for which the maximum penalty is life
-	imprisonment or death; or X (3) A controlled substance violation which has a maximum penalty of 10 years or more; or

DETENTION ORDER - Page 3

	(4) A felony after the defendant had been convicted of two or more prior offenses described in (1) through (3) above, and the defendant has a prior conviction for one of the crimes mentioned in (1) through (3) above which is less than five years old and which was committed while the defendant was on pretrial release.	
X	(b) That no c	ondition or combination of conditions will reasonably	
	assure the appearance of the defendant as required and the		
	safety of the community because the Court finds that there is		
	probable cause to believe:		
	•	That the defendant has committed a controlled	
		substance violation which has a maximum penalty of	
		10 years or more.	
	ľ	2) That the defendant has committed an offense under	
	(4	18 U.S.C. § 924(c) (uses or carries a firearm during	
		and in relation to any crime of violence, including a	
		crime of violence, which provides for an enhanced	
		punishment if committed by the use of a deadly or	
		dangerous weapon or device).	

D. Additional Directives

Pursuant to 18 U.S.C. § 3142(i)(2)-(4), the Court directs that:

- The defendant be committed to the custody of the Attorney General for confinement in a corrections facility separate, to the extent practicable from persons awaiting or serving sentences or being held in custody pending appeal; and
- 2. The defendant be afforded reasonable opportunity for private consultation with counsel; and
- 3. That, on order of a court of the United States, or on request of an attorney for the government, the person in charge of the corrections facility in which the defendant is confined deliver the defendant to a United States Marshal for the purpose of an appearance in connection with a court proceeding.

DATED: January 27, 2011.

BY THE COURT:

s/ F. A. Gossett United States Magistrate Judge